

PROCEEDINGS

MAYOR'S
OFFICE.

OF THE

BOARD OF ALDERMEN

OF THE

CITY OF NEW YORK.

From January 7 to March 26, 1878.

VOL. CXLIX.



New York:

MARTIN B. BROWN, PRINTER AND STATIONER

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1878.

By Alderman Morris—

AN ORDINANCE

TO REGULATE THE CARRYING OF PISTOLS IN THE CITY OF
NEW YORK.

Whereas, In a large portion of the arrest made by the police for disorderly conduct or intoxication, the persons so arrested are found to have on them at the time a pistol of some kind, and as the records of the criminal courts will show that in the largest portion of the arrests for murder or felonious assault the criminal claims he was drunk ; and was, therefore, unfit to carry any weapon of any kind, particularly as the majority of those arrested are twenty-five years of age, and as such persons are always ready and willing to insult respectable citizens, and draw a pistol on any and every occasion, while the better and law-abiding class try to obey the laws and protect themselves with nothing but nature's weapons ; therefore, be it ordained by the Mayor, Aldermen, and Commonalty of the City of New York, in Common Council convened, as follows :

SECTION 1. Every person, except Judges of the Federal, State, and Municipal governments, authorized by law to make arrests, and persons to whom permits shall have been issued, as hereinafter provided, who shall have in his possession, within the City of New York, a pistol of any description, concealed on his person, or not carried openly,

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shall be deemed guilty of a misdemeanor, and shall be punished, on conviction, by a fine not exceeding ten dollars, or in default of payment of such fine, by imprisonment not exceeding ten days.

SEC. 2. Any person, except as provided in section 1 of the ordinance, who has occasion to carry a pistol for his protection, may apply to the officer in command at the Station-house of the Precinct where he resides, and such officer, if satisfied that the applicant is a proper and law-abiding person, shall give said person a recommendation to the Superintendent of Police, or the inspector in command at the Central Office in the absence of the Superintendent, who shall issue a permit to the said person allowing him to carry a pistol of any description.

SEC. 3. If, at the time of the arrest, a pistol of any description shall be found concealed on the person of, or not carried openly by, any one arrested for disorderly conduct or intoxication, the officer making the arrest shall state such fact to the Police Magistrate before whom the prisoner is brought, and shall make a separate complaint against such prisoner for violation of this ordinance.

SEC. 4. This ordinance shall take effect immediately.

Which was referred to the Committee on Law Department, when appointed.

(G. O. 43.)

The Committee on Law Department, to whom was referred the accompanying communication from the Counsel to the Corporation, with an ordinance to regulate the carrying of pistols in the City of New York, respectfully

REPORT:

That the ordinance so submitted by the Counsel to the Corporation was considered and amended by your Honorable Body at a meeting held on the 23d of October, 1877, and before reference to your Committee.

As your Honorable Body did not indicate what other amendments, if any, were necessary or desirable, or give your Committee any instruction, and as the ordinance was originally prepared by the law officer of the city, it is fair to presume that it is perfect.

As to the necessity for the passage of the ordinance there can be no question. The reckless use of fire-arms by the dangerous classes in this city is proverbial, and this measure of repression seems to be necessary. Your Committee therefore respectfully recommends the adoption of the ordinance.

AN ORDINANCE

TO REGULATE THE CARRYING OF PISTOLS IN THE CITY OF
NEW YORK.

Whereas, In a large portion of the arrests made by the police for disorderly conduct or intoxication, the persons

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so arrested are found to have on them at the time a pistol of some kind, and as the records of the criminal courts will show that in the largest portion of the arrests for murder or felonious assault the criminal claims he was drunk, and was, therefore, unfit to carry any weapon of any kind, particularly as the majority of those arrested are twenty-five years of age, and as such persons are always ready and willing to insult respectable citizens, and draw a pistol on any and every occasion, while the better and law-abiding class try to obey the laws and protect themselves with nothing but nature's weapons; therefore be it ordained by the Mayor, Alderman, and Commonalty of the City of New York, in Common Council convened, as follows :

SECTION 1. Every person, except judges of the Federal, State, and municipal governments, authorized by law to make arrests, and persons to whom permits shall have been issued, as hereinafter provided, who shall have in his possession within the City of New York a pistol of any description, concealed on his person, or not carried openly, shall be deemed guilty of a misdemeanor, and shall be punished, on conviction, by a fine not exceeding ten dollars, or, in default of payment of such fine, by imprisonment not exceeding ten days.

SEC. 2. Any person, except as provided in section 1 of the ordinance, who has occasion to carry a pistol for his protection, may apply to the officer in command at the station-house of the precinct where he resides, and such

officer, if satisfied that the applicant is a proper and law-abiding person, shall give said person a recommendation to the Superintendent of Police, or the inspector in command at the Central Office in the absence of the Superintendent, who shall issue a permit to the said person, allowing him to carry a pistol of any description.

SEC. 3. If, at the time of the arrest, a pistol of any description shall be found concealed on the person of, or not carried openly by, any one arrested for disorderly conduct or intoxication, the officer making the arrest shall state such fact to the police magistrate before whom the prisoner is brought, and shall make a separate complaint against such prisoner for violation of this ordinance.

SEC. 4. This ordinance shall effect immediately.

J. C. WAEHNER, } *Committee*
 GEO. HALL, } *on*
 J. C. PINCKNEY, } *Law Department.*

Which was laid over.

The Committee on Salaries and Offices, to whom were referred at different times resolutions in favor of appointing sundry persons as Commissioners of Deeds, respectfully

REPORT

For your adoption the following resolution :

Resolved, That the following-named persons be and they are hereby appointed Commissioners of Deeds in and

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The President put the question whether the Board would agree with said resolution.

Which was decided in the affirmative, on a division, viz. :

AFFIRMATIVE—The President, Aldermen Biglin, Carroll, Ehrhart, Gedney, Guntzer, Hall, Jacobus, Keenan, Kiernan, Lewis, Morris, Perley, Phillips, Pinckney, Slevin, and Waehner—17.

Alderman Morris called up

G. O. 43,

being a preamble and ordinance, as follows :

Whereas, In a large portion of the arrests made by the police for disorderly conduct or intoxication, the persons so arrested are found to have on them at the time a pistol of some kind, and as the records of the criminal courts, will show that in the largest portion of the arrests for murder or felonious assault the criminal claims he was drunk, and was, therefore unfit to carry any weapon of any kind, particularly as the majority of those arrested are twenty-five years of age, and as such persons are always ready and willing to insult respectable citizens, and draw a pistol on any and every occasion, while the better and law-abiding class try to obey the laws and protect themselves with nothing but nature's weapons; therefore be it ordained by the Mayor, Aldermen, and Commonalty of

the City of New York, in Common Council convened, as follows:

SECTION 1. Every person, except judges of the Federal, State, and municipal governments, authorized by law to make arrests, and persons to whom permits shall have been issued, as hereinafter provided, who shall have in his possession within the City of New York a pistol of any description, concealed on his person, or not carried openly, shall be deemed guilty of a misdemeanor, and shall be punished, on conviction, by a fine not exceeding ten dollars, or, in default of payment of such fine, by imprisonment not exceeding ten days.

SEC. 2. Any person, except as provided in section 1 of the ordinance, who has occasion to carry a pistol for his protection, may apply to the officer in command at the station-house of the precinct where he resides, and such officer, if satisfied that the applicant is a proper and law-abiding person, shall give said person a recommendation to the Superintendent of Police, or the inspector in command at the Central Office in the absence of the Superintendent, who shall issue a permit to the said person allowing him to carry a pistol of any description.

SEC. 3. If, at the time of the arrest, a pistol of any description shall be found concealed on the person of, or not carried openly by, any one arrested for disorderly conduct or intoxication, the officer making the arrest shall

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state such fact to the police magistrate before whom the prisoner is brought, and shall make a separate complaint against such prisoner for violation of this ordinance.

SEC. 4. This ordinance shall take effect immediately.

The President put the question whether the Board would agree with said ordinance.

Which was decided in the affirmative, on a division, viz. :

AFFIRMATIVE—The President, Aldermen Biglin, Carroll, Ehrhart, Gedney, Hall, Jacobus, Keenan, Kiernan, Lewis, Morris, Perley, Phillips, Pinckney, Slevin, and Waehner—16.

MOTIONS AND RESOLUTIONS AGAIN RESUMED.

Alderman Pinckney moved that the Board do now adjourn.

The President put the question whether the Board would agree with said motion.

Which was decided in the affirmative.

And the President announced that the Board stood adjourned until Tuesday, February 26, 1878, at 2 o'clock P. M.

FRANCIS J. TWOMEY,
Clerk.

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MOTIONS AND RESOLUTIONS RESUMED.

By Alderman Morris—

AN ORDINANCE

TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE TO REGULATE THE CARRYING OF PISTOLS IN THE CITY OF NEW YORK," PASSED FEBRUARY 28, 1878.

The Mayor, Aldermen, and Commonalty of the City of New York, do ordain as follows:

SECTION 1. Section 2 of the above-entitled ordinance is hereby amended by adding thereto at the end thereof the following: "Any non-resident who does business in the City of New York, and has occasion to carry a pistol while in said city, must make application for permission to do so to the officer in command of the station-house of the police precinct in which he so does business, in the same manner as is required by residents of said city, and shall be subject to the same conditions and restrictions."

SEC. 2. Section 3 of the above-entitled ordinance is hereby amended by striking therefrom the words "for disorderly conduct or intoxication."

SEC. 3. Section 4 of said ordinance shall read as follows:

§ 4. The Commissioners of Police of the Police Department of the City of New York are hereby author-

ized and empowered, for reasons appearing to be satisfactory to them, by a vote of a majority of a quorum of said Commissioners on ayes and noes, to annul or revoke any permission given under this ordinance. All persons to whom such permission shall be given are hereby declared to be individually responsible for their own acts, or the consequences that may arise from the use of pistols carried under the permission to be obtained as provided in this ordinance.

SEC. 4. Section 4 of said ordinance shall be numbered section 5, so that said ordinance when so amended shall read as follows :

AN ORDINANCE

TO REGULATE THE CARRYING OF PISTOLS IN THE CITY OF
NEW YORK.

Whereas, In a large portion of the arrests made by the police for disorderly conduct or intoxication, the persons so arrested are found to have on them at the time a pistol of some kind, and as the records of the criminal courts will show that in the largest portion of the arrests for murder or felonious assault the criminal claims he was drunk, and was, therefore, unfit to carry any weapon of any kind, particularly as the majority of those arrested are twenty-five years of age, and as such persons are always ready and willing to insult respectable citizens, and draw a pistol on any and every occasion, while the better and

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law-abiding class try to obey the laws and protect themselves with nothing but nature's weapons; therefore be it ordained by the Mayor, Aldermen, and Commonalty of the City of New York, in Common Council convened, as follows:

SECTION 1. Every person, except judges of the Federal, State and city courts, and officers of the general, State, and municipal governments, authorized by law to make arrests, and persons to whom permits shall have been issued, as hereinafter provided, who shall have in his possession within the City of New York a pistol of any description, concealed on his person, or not carried openly, shall be deemed guilty of a misdemeanor, and shall be punished, on conviction, by a fine not exceeding ten dollars, or, in default of payment of such fine, by imprisonment not exceeding ten days.

SEC. 2. Any person, except as provided in section 1 of the ordinance, who has occasion to carry a pistol for his protection, may apply to the officer in command at the station-house of the precinct where he resides, and such officer, if satisfied that the applicant is a proper and law-abiding person, shall give said person a recommendation to the Superintendent of Police, or the inspector in command at the Central Office in the absence of the Superintendent, who shall issue a permit to the said person allowing him to carry a pistol of any description. Any non-

resident who does business in the City of New York, and has occasion to carry a pistol while in said city, must make application for permission to do so to the officer in command of the station-house of the police precinct in which he so does business, in the same manner as is required by residents of said city, and shall be subject to the same conditions and restrictions.

SEC. 3. If, at the time of the arrest, a pistol of any description shall be found concealed on the person of, or not carried openly by, any one arrested, the officer making the arrest shall state such fact to the police magistrate before whom the prisoner is brought, and shall make a separate complaint against such prisoner for violation of this ordinance.

SEC. 4. The Commissioners of Police of the Police Department of the City of New York are hereby authorized and empowered, for reasons appearing to be satisfactory to them, by a vote of a majority of a quorum of said Commissioners on ayes and noes, to annul or revoke any permission given under this ordinance. All persons to whom such permission shall be given are hereby declared to be individually responsible for their own acts, or the consequences that may arise from the use of pistols carried under the permission to be obtained as provided in this ordinance.

SEC. 5. This ordinance shall take effect immediately.

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The President put the question whether the Board would agree with said ordinance.

Which was decided in the affirmative, on a division, viz. :

AFFIRMATIVE — The President, Aldermen Bennett, Biglin, Carroll, Ehrhart, Foster, Gedney, Guntzer, Hall, Jacobus, Kiernan, Lewis, Morris, Perley, Phillips, Pinckney, Sauer, and Slevin—17.

By Alderman Pinckney—

Resolved, That gas-mains be laid, lamp-posts erected, and street-lamps lighted in Depot place, between Sedgwick avenue and the railroad depot at Highbridge station, under the direction of the Commissioner of Public Works.

Which was referred to the Committee on Public Works.

By Alderman Gedney—

Resolved, That the sidewalks on the south side of Fifty-ninth street, between Madison and Fifth avenues, and on the north side of Fifty-eighth street, between Madison and Fifth avenues, be flagged full width, where not already done, under the direction of the Commissioner of Public Works ; and that the accompanying ordinance therefor be adopted.

Which was referred to the Committee on Public Works.

AN ORDINANCE—

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